

Craig S. Friedman (CF-1988)  
Matthew W. Lampe (*pro hac vice*)  
JONES DAY  
222 East 41<sup>st</sup> Street  
New York, New York 10017  
(212) 326-3939  
Attorneys for Defendant

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARIA JACKSON,  
  
Plaintiff,  
  
-against-  
  
THE SCOTTS COMPANY  
  
Defendant.

08 Civ. 1064 (LAK)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the annexed Declaration of Craig S. Friedman, dated June 4, 2008, together with the exhibits thereto, and the accompanying memorandum of law, Defendant The Scotts Company LLC (incorrectly named in the Complaint as “The Scotts Company”) will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, United States Courthouse, 500 Pearl Street, New York 10007, pursuant to 28 U.S.C. § 1927 for sanctions against Plaintiff’s counsel, Sandra Frelix, Esq., and pursuant to the Court’s inherent power for sanctions against Plaintiff and Ms. Frelix.

Dated: June 4, 2008

JONES DAY

/s/ Craig S. Friedman

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(212) 326-3939  
Attorneys for Defendant

TO: Sandra Frelix, Esq.  
110 Wall Street, 11<sup>th</sup> Floor  
New York, New York 10005

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of the foregoing NOTICE OF MOTION, attached DECLARATION OF CRAIG S. FRIEDMAN, and the exhibits thereto, to be served on the following counsel of record this 4th day of June, 2008 by forwarding a copy, by First Class Mail, addressed to:

Sandra D. Frelix, Esq.  
110 Wall Street, 11<sup>th</sup> Floor  
New York, New York 10005  
(212) 859-3509

/s/ Craig S. Friedman

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Craig S. Friedman